

## Certification of Documents

CHANNEL CONTROL MERCHANTS, LLC

Plaintiffs (s)

VS

CAUSE NO. CI14-0099

ET ENTERPRISES, LLC  
AND JOHN DOE 1-10

Defendants

I, LOU ELLEN ADAMS, CERK OF THE CIRCUIT COURT OF FORREST COUNTY MISSISSIPPI, HEREBY CERTIFY THAT THE FOLLOWING PAPERS ARE ALL COPIES OF THE ORIGINAL DOCUMENTS FILED IN THE ABOVE STYLED CAUSE.

GIVEN UNDER MY HAND AND SEAL THIS THE 20TH DAY OF JUNE, 2014.

LOU ELLEN ADAMS, CIRCUIT CLERK  
FORREST COUNTY, MISSISSIPPI

BY: Faye James D.C.  
FAYE JAMES D.C.

CERTIFIED A TRUE COPY  
Forrest County, Mississippi  
Lou Ellen Adams, Circuit Clerk  
This the 20<sup>th</sup> day of June, 14 2014  
By: Faye James D.C.

FILED

JUN 04 2014

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

*Ron A.*  
FORREST COUNTY CIRCUIT CLERK  
PLAINTIFF

CHANNEL CONTROL MERCHANTS, LLC

v.

CIVIL ACTION NO. CT14-00091 ✓

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**SUMMONS**

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES DISTRIBUTORS, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

**NOTICE TO THE DEFENDANT**

THE COMPLAINT OR PETITION WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Seth M. Hunter, attorney for the Plaintiff, whose post address is Post Office Box 2055, Hattiesburg, Mississippi 39403 and street address is 226 West Pine Street, Hattiesburg, Mississippi 39401. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 23 day of May, 2014.

CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY:

*Clay Elton Adams*  
DEPUTY CLERK  
*Gaye Farmer B.C.*

ATTORNEY FOR PLAINTIFF:

James K. Dukes (MSB# 6216)  
Duke Dukes & Wood  
Post Office Box 2055  
Hattiesburg, Mississippi 39403  
Telephone: (601) 544-4121  
Facsimile: (601) 544-4425  
E-Mail: [jdukes@jdukeslaw.com](mailto:jdukes@jdukeslaw.com)

Seth M. Hunter (MSB# 101145)  
Attorney and Counselor at Law, PLLC  
Post Office Box 1111  
Hattiesburg, Mississippi 39403  
Telephone: (601) 450-8080  
Facsimile: 1 (888) 761-5281  
E-Mail: [sethmhunter@gmail.com](mailto:sethmhunter@gmail.com)

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. CT14-00991

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

PROOF OF SERVICE--SUMMONS

Name of Person or Entity Served:

ET ENTERPRISES DISTRIBUTORS, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, where I found said person(s)  
in \_\_\_\_\_ County of the State of \_\_\_\_\_, at \_\_\_\_\_.

RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ county, (state). I served the summons and complaint on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_ who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \_\_\_\_\_

Process server must list below:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

---

PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

---

NOTARY PUBLIC

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO.: CI-14-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANTS

**PROOF OF SERVICE--SUMMONS**

Name of Person or Entity Served:

ET ENTERPRISES DISTRIBUTORS, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_ day of May, 2014, at \_\_\_\_\_, where I found said person(s) in \_\_\_\_\_ County of the State of Mississippi, at \_\_\_\_\_.

RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ county, Mississippi. I served the summons and complaint on the \_\_\_\_ day of May, 2014, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_ who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the \_\_\_\_ day of May, 2014, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

CERTIFIED MAIL SERVICE: By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person and/or entity served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \_\_\_\_\_

Process server must list below:

Name: Shanda Sanders

Address: 226 West Pine Street

Hattiesburg, MS 39403

Phone No.: (601) 544-4121

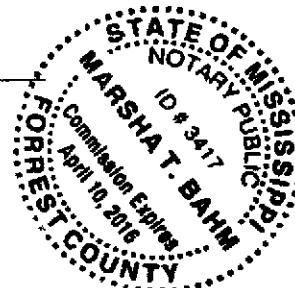
STATE OF MISSISSIPPI  
COUNTY OF Forrest

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named SHANDA SANDERS who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

Shanda Sanders  
PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this the 4<sup>th</sup> day of June, 2014.

MARSHAL Malm  
NOTARY PUBLIC



## UNDER: COMPLETE THIS SECTION

Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.  
 Print your name and address on the reverse so that we can return the card to you.  
 Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

Enterprises Distributors,  
 LLC  
 Mr. Eddie Tawil  
 40 9<sup>th</sup> Avenue  
 New York, New York 10001

A. Signature <b>X S.Nob</b>		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <b>5/30/14</b>		
E. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
F. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		

Article Number  
(Transfer from service label)

7010 3090 0002 1132 5831

102595-02-M-1540

G Form 3811, February 2004

Domestic Return Receipt

FILED

JUN 04 2014

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

*[Signature]*  
FORREST COUNTY CIRCUIT CLERK  
PLAINTIFF

CHANNEL CONTROL MERCHANTS, LLC

v.

CIVIL ACTION NO. CF14-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**SUMMONS**

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

**NOTICE TO THE DEFENDANT**

THE COMPLAINT OR PETITION WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Seth M. Hunter, attorney for the Plaintiff, whose post address is Post Office Box 2055, Hattiesburg, Mississippi 39403 and street address is 226 West Pine Street, Hattiesburg, Mississippi 39401. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 23 day of May, 2014.

CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY: Seth Ellmon Adams  
DEPUTY CLERK  
Seth Ellmon D.C.

**ATTORNEY FOR PLAINTIFF:**

James K. Dukes (MSB# 6216)  
Duke Dukes & Wood  
Post Office Box 2055  
Hattiesburg, Mississippi 39403  
Telephone: (601) 544-4121  
Facsimile: (601) 544-4425  
E-Mail: jdukes@jdukeslaw.com

Seth M. Hunter (MSB# 101145)  
Attorney and Counselor at Law, PLLC  
Post Office Box 1111  
Hattiesburg, Mississippi 39403  
Telephone: (601) 450-8080  
Facsimile: 1 (888) 761-5281  
E-Mail: sethmhunter@gmail.com

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. C14-0091

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**PROOF OF SERVICE--SUMMONS**

Name of Person or Entity Served:

ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, where I found said person(s)  
in \_\_\_\_\_ County of the State of \_\_\_\_\_, at \_\_\_\_\_.

RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ county, (state). I served the summons and complaint on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_ who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \_\_\_\_\_

Process server must list below:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

\_\_\_\_\_  
PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
NOTARY PUBLIC

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

V.

CIVIL ACTION NO.: CI-14-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANTS

**PROOF OF SERVICE-SUMMONS**

Name of Person or Entity Served:

ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

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PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_\_ day of May, 2014, at \_\_\_\_\_, where I found said person(s) in \_\_\_\_\_ County of the State of Mississippi, at \_\_\_\_\_.

RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ county, Mississippi. I served the summons and complaint on the \_\_\_\_\_ day of May, 2014, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_ who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the \_\_\_\_\_ day of May, 2014, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

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At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \_\_\_\_\_

Process server must list below:

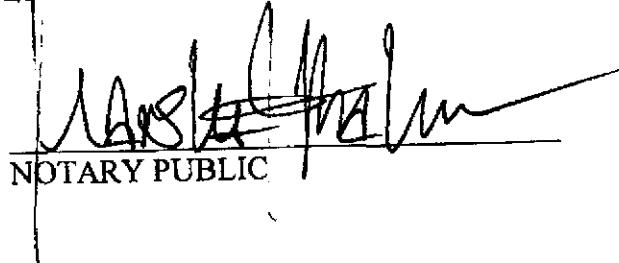
Name: Shanda Sanders  
Address: 226 West Pine Street  
Hattiesburg, MS 39403  
Phone No.: (601) 544-4121

STATE OF MISSISSIPPI  
COUNTY OF Jones

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named SHANDA SANDERS who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

  
Shanda Sanders  
PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this the 4<sup>th</sup> day of June, 2014.

  
Mrs. Shanda Sanders  
NOTARY PUBLIC

DRAFT: COMPLETE THIS SECTION

Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits.

Article Addressed to:

ENTERPRISES, LLC  
Eddie Tawil  
40 9TH AVENUE  
New York, New York  
10001

A. Signature <b>X S. Nbel</b>		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No		
5/30/14		
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		

7010 3090 0002 1132 5824

Domestic Return Receipt

102695-02-N-1540

Article Number  
(Transfer from service label)

S Form 3811, February 2004

**FILED**

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

JUN 04 2014

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF  
FORREST COUNTY CIRCUIT CLERK

V.

CIVIL ACTION NO. CI14-0091

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**SUMMONS**

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
450 West 33rd Street #900  
New York, New York 10001

**NOTICE TO THE DEFENDANT**

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You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 23 day of May, 2014.

CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY:

Don Ellen Adams  
DEPUTY CLERK  
Gary James D.C.

**ATTORNEYS FOR PLAINTIFF:**

James K. Dukes (MSB# 6216)  
Duke Dukes & Wood  
Post Office Box 2055  
Hattiesburg, Mississippi 39403  
Telephone: (601) 544-4121  
Facsimile: (601) 544-4425  
E-Mail: [jdukes@jdukeslaw.com](mailto:jdukes@jdukeslaw.com)

Seth M. Hunter (MSB# 101145)  
Attorney and Counselor at Law, PLLC  
Post Office Box 1111  
Hattiesburg, Mississippi 39403  
Telephone: (601) 450-8080  
Facsimile: 1 (888) 761-5281  
E-Mail: [sethmhunter@gmail.com](mailto:sethmhunter@gmail.com)

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. CI 14 - 0091

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

PROOF OF SERVICE--SUMMONS

Name of Person or Entity Served:

ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
450 West 33rd Street #900  
New York, New York 10001

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

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PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, where I found said person(s)  
in \_\_\_\_\_ County of the State of \_\_\_\_\_, at \_\_\_\_\_.

RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ county, (state). I served the summons and complaint on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_ who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \_\_\_\_\_

Process server must list below:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

\_\_\_\_\_  
PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

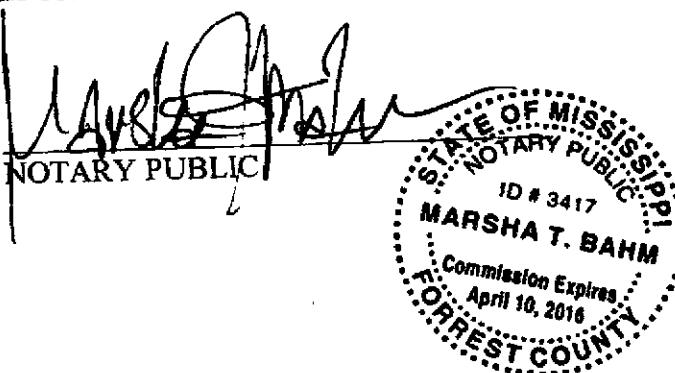
\_\_\_\_\_  
NOTARY PUBLIC

STATE OF MISSISSIPPI  
COUNTY OF Forrest

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named SHANDA SANDERS who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

Shanda Sanders  
PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this the 4<sup>th</sup> day of June, 2014.



## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

ET Enterprises, LLC  
c/o Eddie Tawil  
450 W. 33rd Street  
New York, New York  
10001

A. Signature <i>X S. Noel</i>		<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below:		
5   30   14		
3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.		
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes		

2. Article Number  
(Transfer from service label)

7010 3090 0002 1132 5817

102585-02-M-1540

Domestic Return Receipt

PS Form 3811, February 2004

THE LAW OFFICE OF  
**DUKES, DUKES & WOOD**  
226 WEST PINE STREET - P. O. BOX 2055  
HATTIESBURG, MISSISSIPPI 39403-2055

JAMES K. DUKES  
JDukes@JDukesLaw.com

JAMES K. DUKES, JR.  
JDukesJr@JDukesLaw.com

R. CHRISTOPHER WOOD  
CWood@JDukesLaw.com

TERRY MARTIN  
LEGAL ASSISTANT

TELEPHONE  
601-544-4121  
FAX  
601-544-4425

June 4, 2014

Mrs. Lou Ellen Adams  
Forrest County Circuit Court Clerk  
Post Office Drawer 992  
Hattiesburg, MS 39403

Re: Channel Control Merchants, LLC v. ET Enterprises, LLC, ET Enterprises Distributors, LLC and John Does 1-10; Our File: 6817.01

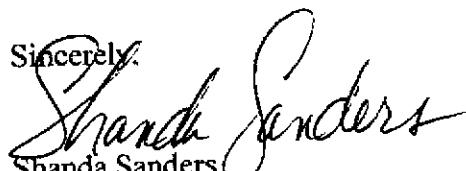
Dear Mrs. Adams:

Enclosed for filing in the above referenced matter, please find the following:

1. Original Summons with executed Proof of Service to ET Enterprises, LLC, at 440 9<sup>th</sup> Avenue, New York, New York;
2. Original Summons with executed Proof of Service to ET Enterprises, LLC, at 450 West 33<sup>rd</sup> Street, #900, New York, New York and;
3. Original Summons with executed Proof of Service to ET Enterprises Distributors, LLC, at 440 9<sup>th</sup> Avenue, New York, New York.

I enclose copies of each Proof of Service which I kindly request you stamp "filed" and return to my courier.

Should you have questions or need additional information, please feel free to contact me. As always, your professional courtesies are appreciated.

Sincerely,  
  
Shanda Sanders  
Paralegal to James K. Dukes

Enclosures

FILED

MAY 23 2014

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI  
FORREST COUNTY CIRCUIT CLERK  
CHANNEL CONTROL MERCHANTS, LLC  
PLAINTIFF

V.

CIVIL ACTION NO. CT14-0099

ET ENTERPRISES, LLC,  
ET ENTERPRISES DISTRIBUTORS, LLC,  
AND JOHN DOES 1-10

DEFENDANTS

**COMPLAINT FOR DECLARATORY JUDGMENT**

***REQUEST FOR SPEEDY HEARING***

COMES NOW, Plaintiff, Channel Control Merchants, LLC, and files this, its Complaint for Declaratory Judgment against Defendants ET Enterprises, LLC, ET Enterprises Distributors, LLC, and John Does 1-10, and in support thereof, and requesting a speedy hearing, states as follows:

**PARTIES**

1. Plaintiff Channel Control Merchants, LLC (hereinafter "CCM") is a Mississippi limited liability company licensed to conduct business, and conducting business, in the State of Mississippi, and with its principal office address located in Forrest County, Mississippi.
2. Defendant ET Enterprises, LLC (hereinafter individually "ET Enterprises" and collectively with Defendant ET Enterprises Distributors, LLC as "ET") is a New York limited liability company that conducts business in the State of Mississippi and maintains minimum contacts with the State of Mississippi. ET Enterprises may be served with process of this Court upon its principal, Mr. Eddie Tawil at 440 9th Avenue, New York, New York 10001, 450 West 33rd Street #900, New York, New York 10001, or 500 5th Avenue 54th Floor, New York, New York 10110.

3. Defendant ET Enterprises Distributors, LLC (hereinafter individually "ET Distributors" and collectively with Defendant ET Enterprises, LLC as "ET") is a New York

limited liability company that conducts business in the State of Mississippi and maintains minimum contacts with the State of Mississippi. ET Distributors may be served with process of this Court upon its principal, Mr. Eddie Tawil at 440 9th Avenue, New York, New York 10001, 450 West 33rd Street #900, New York, New York 10001, or 500 5th Avenue 54th Floor, New York, New York 10110.

4. Defendants ET Enterprises and ET Distributors have represented themselves interchangeably in documents leading up to this litigation. Therefore, out of an abundance of caution, CCM has made both parties to this lawsuit.

5. John Does 1-10 are persons and/or entities who committed acts and/or omissions and/or may have an interest in this action and/or the subject contract. Their identities are not yet known, but when they do become know, they will be properly substituted herein.

#### JURISDICTION AND VENUE

6. Personal jurisdiction is proper in this matter as it involves chattels, the value of which exceed the jurisdictional minimum of this Court, that are located in the State of Mississippi. Further, personal jurisdiction is proper under Miss Code Ann. § 13-3-57, as this action involves a contract that was entered into in the State of Mississippi, and which was to be performed in this State, and the parties conduct business in, and maintain minimum contacts with, the State of Mississippi. Subject matter jurisdiction is proper in this matter, as it involves an action in contract and regarding chattels located in the State of Mississippi. Venue is proper, as a substantial portion of the events giving rise to this lawsuit have occurred in Forrest County, Mississippi, and the subject contract was entered into in Forrest County, Mississippi.

#### FACTS

7. On or about January 21, 2014, CCM and ET entered into an agreement in Mississippi whereby CCM would sell to ET certain Neiman Marcus goods procured from Target

Corporation (hereinafter "Target"), and ET would pay to CCM the amount of \$720,000.00. See Exhibit "A," Purchase Order Form.

8. The terms of the agreement indicated that ET would pay to CCM 10% (\$72,000.00) of the contract amount upon entering into the contract, 80% (\$576,000.00) after satisfactory inspection of the goods, and 10% (\$72,000.00) after the shipment of the last goods.

9. A condition precedent of the sale of goods from CCM to ET was that Target approve of the sale. Target approved of the sale.

10. In February, ET, by and through its agents and employees, traveled to Blue Mountain, Tippah County, Mississippi to inspect the goods.

11. To date, ET has tendered 90% (\$648,000.00) of the agreed contract amount to CCM. CCM has delivered a portion of the goods to ET, however, much of the goods remain in CCM's warehouse in Blue Mountain, Tippah County, Mississippi.

12. On or about April 9, 2014, Target informed CCM that it no longer wished it to sell the goods, and informed CCM that it would like the goods destroyed. CCM immediately notified ET of the revocation of permission to sell the goods.

13. ET, however, has demanded that CCM continue shipping the goods and particularly goods that ET had marketed to a third party in Spain, and has threatened litigation in order to enforce its rights under the contract, and seek damages from CCM. At this juncture, CCM is caught between the demands of its supplier and the rights of its customer, and is now seeking recourse before the Court.

CAUSES OF ACTION

DECLARATORY JUDGMENT

14. Pursuant to Miss. R. Civ. P. 57, CCM requests herein a declaratory judgment to determine the rights of the parties as they relate to the subject contract, future performance thereunder, and particularly:

- a. Whether or not CCM is excused, in whole or in part, from shipping any additional goods, and relieved of its contractual obligations, due to revocation of condition precedent;
- b. Whether or not CCM is excused, in whole or in part, from shipping any additional goods, and relieved of its contractual obligations, due to impossibility to continue contractual obligations;
- c. Whether or not CCM is excused, in whole or in part, from shipping any additional goods, and relieved of its contractual obligations, due to frustration of purpose of the contract;
- d. Whether or not CCM is excused, in whole or in part, from shipping any additional goods, and relieved of its contractual obligations, by failure of presupposed conditions, pursuant to Miss. Code Ann. § 75-2-615;
- e. Whether or not CCM is excused, in whole or in part, from shipping any additional goods, and relieved of its contractual obligations, due to acts of God, pursuant to Miss. Code Ann. § 75-2-617;
- f. Whether under any other common law or code section CCM is excused, in whole or in part, from shipping any additional goods, and relieved of its contractual obligations; and

g. If CCM is not totally excused from shipping additional goods and completely relieved of its contractual obligations, to what extent does it owe an obligation to ET to continue shipment of goods.

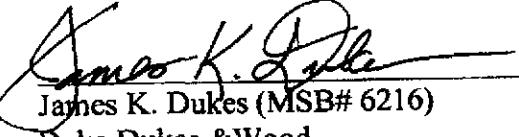
15. Furthermore, CCM requests the Court order a speedy hearing in this matter, pursuant to Miss. R. Civ. P. 57(a).

WHEREFORE, PREMISES CONSIDERED, Plaintiff CCM respectfully requests the Court hear this matter speedily, and make a determination, as requested hereinabove, as to the rights of CCM and ET with regard to the subject contract, and render a judgment herein as to those areas requested above, as well award as any and all general relief to which the Court deems CCM is entitled.

RESPECTFULLY SUBMITTED, this the 23<sup>rd</sup> day of May, 2014.

CHANNEL CONTROL  
MERCHANTS, LLC,  
PLAINTIFF

BY:

  
James K. Dukes (MSB# 6216)  
Duke Dukes & Wood  
Post Office Box 2055  
Hattiesburg, Mississippi 39403  
Telephone: (601) 544-4121  
Facsimile: (601) 544-4425  
E-Mail: jdukes@jdukeslaw.com

Seth M. Hunter (MSB# 101145)  
Attorney and Counselor at Law, PLLC  
Post Office Box 1111  
Hattiesburg, Mississippi 39403  
Telephone: (601) 450-8080  
Facsimile: 1 (888) 761-5281  
E-Mail: sethmhunter@gmail.com

ATTORNEYS FOR THE PLAINTIFF

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. CI14-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
500 5th Avenue 54th Floor  
New York, New York 10110

NOTICE TO THE DEFENDANT

THE COMPLAINT OR PETITION WHICH IS ATTACHED TO THIS SUMMONS IS  
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR  
RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Seth M. Hunter, attorney for the Plaintiff, whose post address is Post Office Box 2055, Hattiesburg, Mississippi 39403 and street address is 226 West Pine Street, Hattiesburg, Mississippi 39401. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 23 day of May, 2014.

CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY: Seth Elton Adams  
DEPUTY CLERK  
Taylor James D.C.

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. CT 14-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**PROOF OF SERVICE--SUMMONS**

Name of Person or Entity Served:

ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
500 5th Avenue 54th Floor  
New York, New York 10110

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, where I found said person(s)  
in \_\_\_\_\_ County of the State of \_\_\_\_\_, at \_\_\_\_\_.

RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ county, (state). I served the summons and complaint on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_ who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \_\_\_\_\_

Process server must list below:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

---

PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

---

NOTARY PUBLIC

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. C414-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**SUMMONS**

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

NOTICE TO THE DEFENDANT

THE COMPLAINT OR PETITION WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Seth M. Hunter, attorney for the Plaintiff, whose post address is Post Office Box 2055, Hattiesburg, Mississippi 39403 and street address is 226 West Pine Street, Hattiesburg, Mississippi 39401. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 23 day of May, 2014.

CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY: Dee Evans Adams  
DEPUTY CLERK  
Guy Farmer D.C.

ATTORNEY FOR PLAINTIFF:

James K. Dukes (MSB# 6216)  
Duke Dukes & Wood  
Post Office Box 2055  
Hattiesburg, Mississippi 39403  
Telephone: (601) 544-4121  
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IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

V.

CIVIL ACTION NO. \_\_\_\_\_

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**PROOF OF SERVICE--SUMMONS**

Name of Person or Entity Served:

ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

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At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \_\_\_\_\_

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Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

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PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

---

NOTARY PUBLIC

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. CT14-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES, LLC  
c/o Mr. Eddie Tawil  
450 West 33rd Street #900  
New York, New York 10001

NOTICE TO THE DEFENDANT

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IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR  
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Issued under my hand and the seal of said Court, this 23 day of May, 2014.

CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY:

Bob Elton Adams  
DEPUTY CLERK  
Tay Jones D.C.

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

V.

CIVIL ACTION NO. \_\_\_\_\_

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

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c/o Mr. Eddie Tawil  
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STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

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NOTARY PUBLIC

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. CJ14-00919

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES DISTRIBUTORS, LLC  
c/o Mr. Eddie Tawil  
450 West 33rd Street #900  
New York, New York 10001

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CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY:

Seth Eddie Adams  
DEPUTY CLERK

Guy Jones O.C.

ATTORNEYS FOR PLAINTIFF:

James K. Dukes (MSB# 6216)  
Duke Dukes & Wood  
Post Office Box 2055  
Hattiesburg, Mississippi 39403  
Telephone: (601) 544-4121  
Facsimile: (601) 544-4425  
E-Mail: [jdukes@jdukeslaw.com](mailto:jdukes@jdukeslaw.com)

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Attorney and Counselor at Law, PLLC  
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IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. \_\_\_\_\_

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

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Fee for service: \_\_\_\_\_

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Address \_\_\_\_\_

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STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

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PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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NOTARY PUBLIC

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. CT14-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES DISTRIBUTORS, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

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Issued under my hand and the seal of said Court, this 23 day of May, 2014.

CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY:

Sgt. Ellen Adams  
DEPUTY CLERK  
Jay James O.C.

ATTORNEY FOR PLAINTIFF:

James K. Dukes (MSB# 6216)  
Duke Dukes & Wood  
Post Office Box 2055  
Hattiesburg, Mississippi 39403  
Telephone: (601) 544-4121  
Facsimile: (601) 544-4425  
E-Mail: jdukes@jdukeslaw.com

Seth M. Hunter (MSB# 101145)  
Attorney and Counselor at Law, PLLC  
Post Office Box 1111  
Hattiesburg, Mississippi 39403  
Telephone: (601) 450-8080  
Facsimile: 1 (888) 761-5281  
E-Mail: sethmhunter@gmail.com

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

V.

CIVIL ACTION NO. \_\_\_\_\_

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**PROOF OF SERVICE--SUMMONS**

Name of Person or Entity Served:

ET ENTERPRISES DISTRIBUTORS, LLC  
c/o Mr. Eddie Tawil  
440 9th Avenue  
New York, New York 10001

I, the undersigned process server, served the summons and complaint upon the person or entity named above in the manner set forth below (process server must check proper space and provide all additional information that is requested and pertinent to the mode of service used):

FIRST CLASS MAIL AND ACKNOWLEDGMENT SERVICE. By mailing (by first class mail, postage prepaid), on the date stated in the attached Notice, copies to the person served, together with copies of the form of notice and acknowledgment and return envelope, postage prepaid, addressed to the sender (Attach completed acknowledgment of receipt pursuant to M.R.C.P. Form 1B).

PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, where I found said person(s) in \_\_\_\_\_ County of the State of \_\_\_\_\_, at \_\_\_\_\_.

RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ county, (state). I served the summons and complaint on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_ who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

CERTIFIED MAIL SERVICE. By mailing to an address outside Mississippi (by first class mail, postage prepaid, requiring a return receipt) copies to the person served. (Attach signed return receipt or the return envelope marked "Refused.")

At the time of service I was at least 18 years of age and not a party to this action.

Fee for service: \_\_\_\_\_

Process server must list below:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

\_\_\_\_\_  
PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
NOTARY PUBLIC

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

v.

CIVIL ACTION NO. CT14-0099

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

SUMMONS

THE STATE OF MISSISSIPPI  
COUNTY OF FORREST

TO: ET ENTERPRISES DISTRIBUTORS, LLC  
c/o Mr. Eddie Tawil  
500 5th Avenue 54th Floor  
New York, New York 10110

NOTICE TO THE DEFENDANT

THE COMPLAINT OR PETITION WHICH IS ATTACHED TO THIS SUMMONS IS  
IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR  
RIGHTS.

You are required to mail or hand-deliver a copy of a written response to the Complaint to Seth M. Hunter, attorney for the Plaintiff, whose post address is Post Office Box 2055, Hattiesburg, Mississippi 39403 and street address is 226 West Pine Street, Hattiesburg, Mississippi 39401. Your response must be mailed or delivered within thirty (30) days from the date of delivery of this Summons and Complaint or a judgment by default will be entered against you for the money or other things demanded in the complaint.

You must also file the original of your response with the Clerk of this Court within a reasonable time afterward.

Issued under my hand and the seal of said Court, this 23 day of May, 2014.

CIRCUIT CLERK,  
FORREST COUNTY, MISSISSIPPI

BY: Bob Eason Adams  
DEPUTY CLERK  
Troy James O.C.

IN THE CIRCUIT COURT OF FORREST COUNTY, MISSISSIPPI

CHANNEL CONTROL MERCHANTS, LLC

PLAINTIFF

V.

CIVIL ACTION NO. \_\_\_\_\_

ET ENTERPRISES, LLC  
AND JOHN DOES 1-10

DEFENDANT

**PROOF OF SERVICE--SUMMONS**

Name of Person or Entity Served:

ET ENTERPRISES DISTRIBUTORS, LLC  
c/o Mr. Eddie Tawil  
500 5th Avenue 54th Floor  
New York, New York 10110

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PERSONAL SERVICE. I personally delivered copies to \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_, where I found said person(s) in \_\_\_\_\_ County of the State of \_\_\_\_\_, at \_\_\_\_\_.

RESIDENCE SERVICE. After exercising reasonable diligence I was unable to deliver copies to said person within \_\_\_\_\_ county, (state). I served the summons and complaint on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at the usual place of abode of said person by leaving a true copy of the summons and complaint with \_\_\_\_\_ who is the \_\_\_\_\_ (here insert wife, husband, son, daughter or other person as the case may be), a member of the family of the person served above the age of sixteen years and willing to receive the summons and complaint, and thereafter on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, I mailed (by first class mail, postage prepaid) copies to the person served at his or her usual place of abode where the copies were left.

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Fee for service: \_\_\_\_\_

Process server must list below:

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone No. \_\_\_\_\_

STATE OF MISSISSIPPI

COUNTY OF \_\_\_\_\_

Personally appeared before me the undersigned authority in and for the state and county aforesaid, the within named \_\_\_\_\_ who being first by me duly sworn states on oath that the matters and facts set forth in the foregoing "Proof of Service-Summons" are true and correct as therein stated.

\_\_\_\_\_  
PROCESS SERVER

SWORN TO AND SUBSCRIBED BEFORE ME this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
NOTARY PUBLIC

THE LAW OFFICE OF  
**DUKES, DUKES & WOOD**  
226 WEST PINE STREET - P. O. BOX 2055  
HATTIESBURG, MISSISSIPPI 39403-2055

JAMES K. DUKES  
JDukes@JDukesLaw.com  
JAMES K. DUKES, JR.  
JDukesJr@JDukesLaw.com  
R. CHRISTOPHER WOOD  
CWood@JDukesLaw.com

TERRY MARTIN  
LEGAL ASSISTANT

TELEPHONE  
601-544-4121  
FAX  
601-544-4425

May 23, 2014

Mrs. Lou Ellen Adams  
Forrest County Circuit Court Clerk  
Post Office Drawer 992  
Hattiesburg, MS 39403

Re: Channel Control Merchants, LLC v. ET Enterprises, LLC, ET Enterprises  
Distributors, LLC and John Does 1-10; Our File: 6817.01

Dear Mrs. Adams:

Enclosed please find the following:

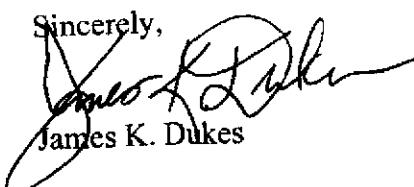
1. Civil Cover Sheet for initial filing in the above referenced matter,
2. *Complaint for Declaratory Judgment* filed on behalf of Channel Control Merchants,
3. Our firm check number 13228 in the amount of \$160.00, which represents payment in full of the fee for filing the Complaint,
4. Three (3) original Summons' to be issued for service to ET Enterprises, LLC, and;
5. Three (3) original Summons' to be issued for service to ET Enterprises Distributors, LLC.

I enclose a copy of the Complaint which I kindly request you stamp "filed" and return to my courier along with the six (6) original Summons'. I also enclose a copy of each Summons for your file.

Should you have questions or need additional information, please feel free to contact me. As always, your professional courtesies are appreciated.

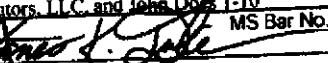
With kind regards, I remain

Sincerely,



James K. Dukes

JKD:sms  
Enclosures

<b>COVER SHEET</b> <b>Civil Case Filing Form</b> <i>(To be completed by Attorney/Party Prior to Filing of Pleading)</i>		<b>Court Identification</b> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> County # <input type="text"/> Judicial District <input type="text"/> Court ID (CH, CI, CO)  <input type="text"/> <input type="text"/> <input type="text"/> Month <input type="text"/> Date <input type="text"/> Year		Case Year <input type="text"/> <input type="text"/> <input type="text"/>	Docket Number <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Local Docket ID
Mississippi Supreme Court Administrative Office of Courts		Form AOC/01 (Revised 1/1/2001)		Case Number if filed prior to 1/1/94	
This area to be completed by clerk					
<b>IN THE CIRCUIT</b> <b>COURT OF FORREST</b> <b>COUNTY</b> Short Style of Case: <u>Channel Control Merchants, LLC v. ET Enterprises, LLC, ET Enterprises Distributors, LLC, and John Does 1-10</u> Party Filing Initial Pleading: Type/Print Name <u>JAMES K. DUKES</u> Signature  <input type="checkbox"/> Check (✓) if Not an Attorney <input type="checkbox"/> Check (✓) if Pro Hac Vice Compensatory Damages Sought: \$ <input type="text"/> Punitive Damages Sought: <input type="text"/> Is Child Support contemplated as an issue in this suit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes" is checked, please submit a completed Child Support Information Sheet with Final Decree/Judgment					
<b>PLAINTIFF - PARTY(IES) INITIALLY BRINGING SUIT SHOULD BE ENTERED FIRST (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL PLAINTIFFS ON SEPARATE FORM</b>					
Individual <input type="text"/> Last Name <input type="text"/> First Name		( <input type="text"/> ) Maiden Name, if Applicable		Middle Init.	Jr/Sr/MV
Address of Plaintiff <input type="checkbox"/> Check (✓) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: <input type="text"/> Estate of <input type="text"/> <input type="checkbox"/> Check (✓) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: <input type="text"/> D/B/A / Agency Business <u>CHANNEL CONTROL MERCHANTS, LLC: MISSISSIPPI</u> Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated <input type="checkbox"/> Check (✓) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: <input type="text"/> D/B/A:					
<b>DEFENDANT - NAME OF DEFENDANT (FIRST NAME IN SHORT STYLE) - ENTER ADDITIONAL DEFENDANTS ON SEPARATE FORM</b>					
Individual <input type="text"/> Last Name <input type="text"/> First Name		( <input type="text"/> ) Maiden Name, if Applicable		Middle Init.	Jr/Sr/MV
<input type="checkbox"/> Check (✓) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: <input type="text"/> Estate of <input type="text"/> <input type="checkbox"/> Check (✓) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: <input type="text"/> D/B/A / Agency Business <u>ET ENTERPRISES, LLC, ET ENTERPRISES DISTRIBUTORS, LLC, and JOHN DOES 1-10</u> Enter legal name of business, corporation, partnership, agency - If Corporation, indicate state where incorporated <input type="checkbox"/> Check (✓) if Business Defendant is being sued in the name of an entity other than the above, and enter below: <input type="text"/> D/B/A: <input type="checkbox"/> Pro Hac Vice (✓)					
<b>ATTORNEY FOR THIS DEFENDANT:</b> <input type="text"/> Bar No. or Name: <input type="text"/> (iif known)					
In left hand column, check one (1) box that best describes the nature of this suit. In right hand column check all boxes which indicate secondary claims. Business/Commercial <input type="checkbox"/> Accounting (Business) <input type="checkbox"/> Probate <input type="checkbox"/> Bankruptcy <input type="checkbox"/> Accounting (Probate) <input type="checkbox"/> Business Dissolution - Corporation <input type="checkbox"/> Birth Certificate Correction <input type="checkbox"/> Business Dissolution - Partnership <input type="checkbox"/> Commitment <input type="checkbox"/> Debt Collection <input type="checkbox"/> Conservatorship <input type="checkbox"/> Employment <input type="checkbox"/> Guardianship <input type="checkbox"/> Examination of Debtor <input type="checkbox"/> Heirship <input type="checkbox"/> Execution <input type="checkbox"/> Intestate Estate <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Minor's Settlement <input type="checkbox"/> Garnishment <input type="checkbox"/> Muniment of Title <input type="checkbox"/> Pension <input type="checkbox"/> Name Change <input type="checkbox"/> Receivership <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Replevin <input type="checkbox"/> Testate Estate <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Will Contest <input type="checkbox"/> Other <input type="checkbox"/> Other _____ Domestic Relations <input type="checkbox"/> Child Custody/Visitation <input type="checkbox"/> Probate <input type="checkbox"/> Child Support <input type="checkbox"/> Accounting (Probate) <input type="checkbox"/> Contempt <input type="checkbox"/> Birth Certificate Correction <input type="checkbox"/> Divorce: Fault <input type="checkbox"/> Commitment <input type="checkbox"/> Divorce: Irreconcilable Differences <input type="checkbox"/> Conservatorship <input type="checkbox"/> Domestic Abuse <input type="checkbox"/> Guardianship <input type="checkbox"/> Emancipation <input type="checkbox"/> Heirship <input type="checkbox"/> Modification <input type="checkbox"/> Intestate Estate <input type="checkbox"/> Paternity <input type="checkbox"/> Minor's Settlement <input type="checkbox"/> Property Division <input type="checkbox"/> Muniment of Title <input type="checkbox"/> Separate Maintenance <input type="checkbox"/> Name Change <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Power of Attorney <input type="checkbox"/> UIFSA (formerly URESA) <input type="checkbox"/> Testate Estate <input type="checkbox"/> Other <input type="checkbox"/> Will Contest Contract <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Appeals <input type="checkbox"/> Installment Contract <input type="checkbox"/> Administrative Agency <input type="checkbox"/> Insurance <input type="checkbox"/> County Court <input type="checkbox"/> Product Liability under Contract <input type="checkbox"/> Hardship Petition (Driver License) <input type="checkbox"/> Specific Performance <input type="checkbox"/> Justice Court <input type="checkbox"/> Other <input type="checkbox"/> MS Employment Security Comm'n <input type="checkbox"/> DECLARATORY JUDGMENT <input type="checkbox"/> Municipal Court <input type="checkbox"/> Oil & Gas Board <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other <input type="checkbox"/> Children and Minors - Non-Domestic <input type="checkbox"/> Adoption - Noncontested <input type="checkbox"/> Consent to Abortion for Minor <input type="checkbox"/> Removal of Minority <input type="checkbox"/> Other _____ Torts-Personal Injury <input type="checkbox"/> Bad Faith <input type="checkbox"/> Fraud <input type="checkbox"/> Loss of Consortium <input type="checkbox"/> Malpractice - Legal <input type="checkbox"/> Malpractice - Medical <input type="checkbox"/> Negligence - General <input type="checkbox"/> Negligence - Motor Vehicle <input type="checkbox"/> Products Liability <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Other _____ Mass Tort <input type="checkbox"/> Asbestos <input type="checkbox"/> Chemical Spill <input type="checkbox"/> Dioxin <input type="checkbox"/> Hand/Arm Vibration <input type="checkbox"/> Hearing Loss <input type="checkbox"/> Radioactive Materials <input type="checkbox"/> Other _____ Real Property <input type="checkbox"/> Adverse Possession <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Lien Assertion <input type="checkbox"/> Partition <input type="checkbox"/> Receiver Appointment <input type="checkbox"/> Tax Sale: Confirmation/Cancellation <input type="checkbox"/> Title, Boundary &/or Easement <input type="checkbox"/> Other _____ Civil Rights <input type="checkbox"/> Elections <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Post Conviction Relief <input type="checkbox"/> Prisoner <input type="checkbox"/> Other _____					